

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES LEONARD MILLER,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent,

No. 4:23-CV-1716 AGF

MEMORANDUM AND ORDER

This matter is before the Court upon review of the record. Movant James Miller filed a handwritten motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 on December 18, 2023. [ECF No. 1]. At the time of filing, movant was incarcerated at the Federal Correctional Institution in Terre Haute, Indiana. Because the motion to vacate was not drafted on a Court-provided form, the Court issued an Order on January 22, 2024, requiring movant to amend his motion to vacate in accordance with E.D.Mo. Local Rule 2.06(A), no later than February 22, 2024. [ECF No.2]. The Order was sent to movant at FCI Terre Haute. However, on February 12, 2024, the Court received correspondence from movant requesting that the Court forward any mail “from 1-17-2024” to him at the St. Louis City Justice Center. [ECF No. 3].

Movant has not yet amended his motion to vacate, and it does not appear he received the January 22, 2024 Memorandum and Order requiring him to do so. For this reason, the Court will have the Clerk resend the Court’s prior Order. Additionally, movant will be provided an additional thirty (30) days to amend his motion to vacate on the Court form.


Accordingly,

IT IS HEREBY ORDERED that the Clerk shall resend the January 22, 2024 Memorandum and Order [ECF No. 2] to movant James Miller at the St. Louis City Justice Center.

IT IS FURTHER ORDERED that the Clerk shall provide movant with a Court form for filing a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

IT IS FURTHER ORDERED that movant shall have thirty (30) days from the date of this Memorandum and Order to amend his motion to vacate on the Court-provided form.

Dated this 8th day of March, 2024.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE